

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

UNITED STATES OF AMERICA, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                             )      Case No. 13 C 8985  
                                )      (05 CR 254)  
HOSSEIN OBAEI,             )  
                                )  
                                )  
Defendant.                 )

**MEMORANDUM ORDER**

This Court's October 6, 2015 memorandum order determined that Hossein Obaei ("Obaei") does not qualify for in forma pauperis ("IFP") status in connection with his appeal from this Court's rejection of his 28 U.S.C. § 2255<sup>1</sup> motion that challenged his conviction on nearly 100 counts covering a host of criminal offenses. Although this memorandum order reconfirms what that earlier order characterized as "several significant facts" that support that determination, a remedy different from that proposed in the earlier order appears better suited to address the situation. Accordingly the ordering portion of the October 6 memorandum order is withdrawn and replaced by a more simple order under which Obaei's In Forma Pauperis Application is denied and he is ordered to pay the entire aggregate appellate filing fee of \$505 on or before March 5, 2016.

As a final matter at this District Court level in connection with Obaei's appeal, this Court has reviewed its substantive June 16, 2015 memorandum opinion and order and its brief July 15 memorandum order, which together rejected all of Obaei's multiple grounds advanced in his

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<sup>1</sup> All further references to Title 28's provisions will simply take the form "Section --," omitting the prefatory "28 U.S.C. §."

Section 2255 motion on the merits, and it denies a certificate of appealability pursuant to Rule 11(a) of the Rules Governing Section 2255 Proceedings for the United States District Courts because none of the grounds advanced by Obaei satisfied the showing required by Section 2253(c)(2). In accordance with Rule 11(a), Obaei is advised that he may seek a certificate of appealability from our Court of Appeals under Fed. R. App. P. 22.



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Milton I. Shadur  
Senior United States District Judge

Date: November 5, 2015